

**White Earth Reservation Business Committee**

**Special Meeting**

**January 14, 2019**

**White Earth, MN**

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Acting Chairman Eugene "Umsy" Tibbetts called the meeting to order at 9:19 a.m., roll call was taken with a quorum present.

Present: Leonard Alan Roy, Secretary/Treasurer  
Raymond Auginaush Sr., District I Representative  
Eugene "Umsy" Tibbetts, District III Representative (Acting Chair)

Absent: Terrence "Terry" Tibbetts, Chairman  
Kathy Goodwin, District II Representative

Others Present: Randy Goodwin, Executive Director  
Joan LaVoy, Chief Operating Officer  
Maria Bevins, Recorder

**Agenda Approval**

Motion made by Raymond Auginaush Sr. to approve with additions; second by Leonard Alan Roy.  
Motion carried: 2 for, 0 against.

**RBC Meeting Minutes (12-31-18, 01-02-19 & 01-09-19)**

Motion made by Leonard Alan Roy to approve with changes; second by Raymond Auginaush Sr.  
Motion carried: 2 for, 0 against.

**Reports**

- Nothing to Report

**Calendar Review**

**Unfinished Business**

**[REDACTED]** *Executive Session at 9:36 p.m.*

**[REDACTED]**

**[REDACTED]**

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*Executive Session ended at 10:27 a.m.*  
*Meeting recessed at 10:27 a.m.*  
*Meeting reconvened at 10:35 a.m.*

## Land

Katherine Warren and Heather Hamlin are present.

Mahnomen Chip Factory:

January 3<sup>rd</sup> – Had a meeting with MMCDC and inventory was taken. They are working on what they want to do with the equipment that was left at the building.

January 10<sup>th</sup> – White Earth Land Department held a meeting with White Earth economic Development Department and are working on some ideas for the Mahnomen Chip Factory.

\$230,000 cost on the building:

- Maintenance
- Insurance
- Taxes
- No utilities included

Loan payment \$123,000 yearly; at 10 years. Roughly \$10,000 per month. Alan requested to have Scott Omlid email him the cost report.

Public comment; Natalie McArthur always trying to look at Economic Development for White Earth and suggested Nutrition Bars. White Earth can do a feasibility study on a Healthy Bar.

Keeping a food grade facility:

- Wild rice
- Maple syrup
- Create jobs & have a product that is mark able

Alan recommend a conversation between White Earth Economic Development and Natalie McArthur. White Earth Economic Development to Report to the RBC on what they are doing.

Snider Lake:

This land is tax forfeit sale. This finally came through legislation and the Land Office needs to know if the RBC is going to buy it. Pursuant to this legation, the DNR will offer this land to the White Earth Nation for \$66,819.78, which includes the land value, timber value, deed tax and costs incurred in preparing the parcel for sale. The original price of the land is \$66,600.00. Katherine stated White Earth has some allotment land around this land.

Eugene commented on the Tribal Burial Grounds in this area.

Alan is requesting for information; has this been budgeted. Katherine stated she has no budget always received approval from the RBC to purchase land. Bring back to the RBC after follow-up with Scott to see if this purchase is within the budget.

**Pennsylvania Mineral Appraisal:**

RBC requested a Medure presentation of Pennsylvania property. A mineral appraisal is needed to provide in depth profile of the minerals and their values. A contract for professional Appraisal Services Agreement; The cost will not exceed the \$5,000.00. A retainer of \$2,500.00 is required to initiate the work. Resolution- Resource Technologies Corporation Appraisal:

Motion made by Raymond Auginaush Sr. to approve Resolution #056-19-037; second by Leonard Alan Roy. Motion carried: 2 for, 0 against.

**Settlement Statement for Pennsylvania; Property Title Insurance:**

Motion by Leonard Alan Roy to approve; second by Raymond Auginaush Sr. Motion carried, 2 for, 0 against.

**Land Assignments; New Lease Documents:**

- Table

**Behavioral Health Properties Updates**

**Strawberry Retreat (Old Christian Retreat) Building repairs:**

- Heating System
- Mold
- Steel Building needs a lot of work; roof leaks; roof replacement
- Windows
- Firewall
- Pluming Issues / Septic System

Jeri stated they want to utilize the Strawberry Retreat as a Family Treatment Facility.

**Lake Side:**

- Cabins are in good shape

Alan commented on having a master plan/strategic plan on what project they want to work on first. Jeri stated she will be speaking with the architect next week and will have a time line for the RBC on what they want to accomplish first.

**Alan's recommendations:**

- Inventory of the buildings that are condemned
- Cost Estimates
- Master Plan/Strategic Plan
- List of the projects they are working on
- They will come back in 2 weeks for an update

Clifton:

- Completed

Mansions:

- Need a lot of work
- Repairing the front deck
- Over flow of Programs
- Master plan for the Minneapolis facilities by March 4<sup>th</sup>

Alan commented on a report that was due; Jeri stated she would need to have two weeks to complete. Report is due February 4<sup>th</sup>; no more extensions.

*Meeting recessed at 11:32 a.m.*

*Meeting reconvened at 11:41 a.m.*

### **Drug Testing Vendor Proposal**

Christie Haverkamp & Nakoa Graff are present.

Requesting to change drug testing vendor from Redwood Toxicology to Premier Biotech Labs. This will reduce days employees are out from work too two weeks to three days. There is no increase in cost for supply testing.

These are Vendors; Month to Month:

- Cost Per Test
- Lab Tests
- Training Support

Premier Biotech Labs:

Motion made by Leonard Alan Roy to drop Redwood Toxicology and approve Premier Biotech Labs; Drug Testing Laboratory Resolution #001-19-015; second by Raymond Auginaush Sr. Motion carried: 2 for, 0 against.

Brief discussion held on the drug testing process.

### **Easement**

Butch Gordon is present and is requesting an easement on County Road 4; planning on putting three to four lots in there of 12 acres towards the south side. Surveying will be completed; however, asking for a 50-60 ft easement to clear and fill it in.

Alan is requesting to have our Land office verify that Mr. Gordon owns the land and provide documentation of ownership.

Alan asked if there are Tribal Allotments near the proposed easement or property. Butch stated "yes".

Alan asked if White Earth Enrollees can utilize the road; if so a contract needs to be in place. Alan also asked who will maintain the road; Butch stated he will maintain the road.

Alan is requesting that Butch come to the next meeting with his documentation of ownership and a contract; allowing White Earth members to utilize the road.

### **Evaluations**

Nakoa Graff & Scott Omlid are present for brief discussion held on evaluations.

Eval Report was provided for the RBC review.

128 employees effected from 07/12/18 thru 09/30/18

|  |                |
|--|----------------|
| Implement on 01/25/19 for 7/12 thru 09/30      | \$111,513.89   |
| Plus Average general fund 3.5% impact          | \$18,971.86    |
| Total wage impact with retro                   | \$130,485.74   |
| Add fringe 20.26%                              | \$156,922.16   |
| Average monthly general fund wages with fringe | \$18,170.19    |
| Budgeted general fund salaries FY 19           | \$5,180,258.00 |
| 3.5% Salary Increase                           | \$181,309.03   |
| Fringe @ 20.26% budgeted amount                | \$36,733.21    |
| Total  | \$218,042.24   |

Revisit again in September of this year and can be reviewed at any time.

Motion made by Leonard Alan Roy to approve 07/12/18 thru 09/30/18; second by Raymond Auginaush Sr. Motion carried, 2 for, 0 against.

Alan recommendation is to have a Resolution.

White Earth Roads Trucks:

Scott commented on the Plow Trucks for WEDOT. Trucks were approved for the purchase of two trucks for the amount of \$211,000.00 per truck. The trucks are ready for pickup.



Roads department will make monthly payments to pay for these trucks. Scott Recommendation to borrow money from Bremmer Bank.

White Earth can buy these trucks and apply for a USDA loan or utilize money from the General Fund. White Earth can make a loan to move forward due to the trucks being ready. Alan is requesting Scott to check with First National Bank Bemidji regarding a loan.

Brief discussion held on the New Market Tax Credit Option for the Pine Point Roundhouse Remodel Expansion. Scott will connect with Economic Development on Tax Credit Options.

## **Human Service**

Ben Bement is present.

Ben provided the Facilities Use Agreement / Kitchen Cleaning Checklist for the RBC review. Ben commented on his concerns regarding the Kitchen in Naytahwaush.

Facilities Use Agreement:

- Period of Use
  - Dates
- Deposit
  - \$100.00 required prior to use the facility
  - Hold the \$100.00 from the \$400.00 received from Constituents Services (Option); if they clean the Kitchen they will be refunded the \$100.00
- Nature and Conditions of Use
  - The facilities for the sole and exclusive purpose of preparing food and services for desired event
- Rental Deposit
  - Lessee agrees to pay the Deposit set forth in, confirming that lessee will bring the facility to sanitary condition after to the commencement of food preparation at the site

More discussion is needed and will at a later date follow-up with Ben.

Ben provided the White Earth Reservation Tribal Council Constituents Service Program for the RBC review.

- Eligibility
- Enrollment Requirements
- Application Process
- Criteria
- Life Necessity
- Loss of Life

Ben commented on the changes on Page 3; Medical Emergency Hotel Assistance, also Page 3; Life Necessity.

Food vouchers will be paid out according to the following table:

- 1 Individual per household: \$25.00
- 2 Individuals per household: \$30.00
- 3-4 Individuals per household: \$40.00
- More than 5 Individuals per household \$50.00

Alan asked if we authorize Veterans Benefits; Budget proposals is for next year.

Alan's recommendation is to have Constituents guidelines approved through Resolution. Alan is requesting on how many people access this program each year and would like a break down for the last four years.

## **Education**

Barb Fabre and Brent Gish are present.

COLA Update:

Mr. Gish gave an update on the status of COLA. Brent stated they had great apprehension with the school and students. Once a plan is in place we can move forward and the welfare of the students come first. Mr. Gish commented on the NWEA Assessment Tool.

Finances:

- \$5,500,000.00 in the budget; this will be more accurate once they received reports from Finance

Northwest Evaluation Association (NWEA); this is not an achievement test and not mandated by the state.

NWEA 2017-18 reported to the RBC and BIE. School - wide Achievement; Unable to Verify:

- Reading proficiency – 40% School - wide average
- Math proficiency – 42%; School - wide proficiency

NWEA 2015-16; School – wide Achievement; Verified

- Reading – 25% Advanced/Proficient
- Math – 19% Advanced/Proficient

2016-17:

- Reading – 18% Advanced/Proficient
- Math – 15% Advanced/Proficient

2017-18:

- Reading – 21% Advanced/Proficient
- Math – 25% Advanced/Proficient

2018-19:

- Reading – 17% Advanced/Proficient
- Math – 9% Advanced/Proficient

They have viewed data for 4 years.

Five different Achievement Levels:

- Advanced
- Proficient 61-80
- Average
- Low average
- Low

Mobility Gab: Effects the Achievement Score.

Brent cannot verify numbers that were submitted in the past. Discrepancy in what was reported and need to correct some numbers. Once the data is received they will have numbers. RBC is requesting for Brent and Barb to come back in a couple weeks for an update.

Barb stated that they are requesting funds and the School Improvement Grants (SIG) that were submitted. Don't know what the expenditures are of this date; Heidi Mertens is working on this request. Once received will do some comparison of what they have. Jenna is working on Policies and Procedures for the COLA.

Culture: Ojibwe Language/Art

Security Issues:

- Master Keys are not accountable for
- Doors are open / also drawers are gone through

Camera System:

- \$25,000 to update the security issues

Brief discussion held on the staff that are under contract at COLA. Three staff resigned since Christmas.

Organization Chart:

Kay Sunram & Anna Shepard are present.

Barb is requesting to undo the structural change the previous Tribal Council approved of the merger of Head Start and Child Care. There was no follow through on this with Office of Child Care. According to Office of Child Care this never happened, nothing was submitted or approved. The federal plan was never amended nor approved by Office of Child Care. According to federal CCDF regulations, any changes in the programming you must amend the federal plan and have 60 days to amend/approval.

Since the demotions the Child Care Program has been seriously neglected and staff had no guidance. Barb came on as Interim Director of Education on December 5<sup>th</sup>. There are reports and budgets that need to be turned in.

Barb referenced minutes from the RBC Special meeting dated July 2, 2018. By getting rid of two Directors positions (Head Start Director & Child Care Director); however, Barb stated that this was not approved by Office of Head Start. The merged organization chart was rejected by Office of Head Start, they only accepted the organizational chart with Head Start program staff. Positions; rewriting positions and they forgot to add some staff in the combined organization Chart.

Barb referenced minutes from the RBC Special meeting dated July 18, 2018. The merger would save the program money; however, Barb stated it would be costing Head Start more. There are serious issues with the Head Start Program and this merger. Mary took this to the Tribal Council before taking to the Head Start Policy Council for approval.

Barb commented on Kay Sunram maintaining the integrity of Head Start regulations and the current Head Start federal funding could have been suspended. Kay commented on the Office of Head Start site visit and they stated not to move forward with the merge.

Barb commented on the merger; there was no input from long term staff about the merger regarding their positions/duties. Staff were told after the fact regarding their job descriptions changed or did not exist for a couple of staff.

Anna had some comments/concerns regarding ECSE and interaction with Head Start. Early Child Special Education has a separate budget than Head Start. [REDACTED] was moved to Head Start in May to the Family Partnerships, Mental Health, and Disabilities Coordinator by Mary Otto and [REDACTED] was not told her change in her role. Kay Sunram received an email indication this move. There was no mention of ECSE in this email. [REDACTED] was unclear of what her actual position was due to [REDACTED] still working as the ECSE Coordinator. When contacting HR last Friday regarding [REDACTED] position and what funding she was paid out of the response was 100% Head Start funds. No ECSE.

The Organization Chart do not support Head Start paying ECSE positions. The Organization Charts do not have [REDACTED] as ECSE Coordinator.

Barb stated they are building staff moral within the programs. Barb is requesting to undo the changes to the White Earth Childhood Education 2018- 2019 Organizational Chart.

Resolution- White Earth Head Start EHS CC:

Motion made by Leonard Alan Roy to approve Resolution #038-19-001; second by Raymond Auginaush Sr. Motion carried: 2 for, 0 against.

*Meeting recessed at 2:27 p.m.*

*Meeting reconvened at 2:38 p.m.*

### **New Business**

White Earth Reservation Business Committee Organizational Chart; Basic Structure and by Programs. Brief discussion on the program Organizational Charts with changes.

- Table

Zamboni:

[REDACTED] 1<sup>st</sup> Bid at \$3,003.00

RBC in consensus to sell the Zamboni [REDACTED]

Youth & Elder Funds (Separate Accounts):

Guidelines: The White Earth Reservation Business Committee has funds available to assist with youth and elder activities. The fund will be split 50/50 between the two accounts. Request/expenditures from the fund must be approved by a majority of the Council.

Eugene is requesting this be divided into each District. Alan's recommendation is to divide into each District of 50/50. Alan would like changes to the Resolution on the activity.

- Table

Operation Agreement and Resolution – Mississippi Pillager, LLC; White Earth Enterprises Board of Directors:

- Table

OGP Contract / Investigator:

Alan is requesting changes on the Contract & Resolution.

- Table

Tribal Attorney:

Posted for a Tribal Attorney. The attorney will be working for the RBC; Business /Cooperate side of the business.

Stipends:

Alan is requesting a Resolution for each community council stipends.

- Table

Resolution for Marcy Hart; requesting to have Scott work on this Resolution

### **Signatory Requests**

Special Transportation Service (STS) Business Information form; Updating Information:

Motion made by Leonard Alan Roy to approve; second by Raymond Auginaush Sr. Motion carried: 2 for, 0 against.

Resolution / Service Agreement between COLA & Choice Therapy:

Motion made by Leonard Alan Roy to approve Resolution #038-19-002; second by Raymond Auginaush Sr. Motion carried: 2 for, 0 against.

Resolution / Service Agreement between COLA & Detroit Lakes School District #22 – Cindy Cronemiller:

Motion made by Leonard Alan Roy to approve Resolution #038-19-003; second by Raymond Auginaush Sr. Motion carried: 2 for, 0 against.

Resolution / Service Agreement between COLA & Detroit Lakes School District #22 – Michelle Kraemer-Paulson:

Motion made by Leonard Alan Roy to approve Resolution #038-19-004; second by Raymond Auginaush Sr. Motion carried: 2 for, 0 against.

Annual Impact Aid Application for Waubun-Ogema-White Earth School District:

Motion made by Leonard Alan Roy to approve; second by Raymond Auginaush Sr. Motion carried: 2 for, 0 against.

Temporary Privilege to Operate a Motor Vehicle [REDACTED]

RBC denied; Unable to process.

***Meeting recessed at 3:48 p.m.***

***Meeting reconvened at 4:03 p.m.***

*Executive Session at 4:05 p.m.*

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

Motion made by Raymond Auginaush Sr. to adjourn at 4:29 p.m.; second by Leonard Alan Roy.  
Motion carried; 2 for, 0 against.

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Leonard Alan Roy, Secretary/Treasurer